



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

ch

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/237,605	01/25/99	LAZZARA	IMPI.035-1

HAROLD N. WELLS
JENKENS & GILCHRIST, P.C.
3200 FOUNTAIN PLACE
1445 ROSS AVENUE
DALLAS TX 75202-2799

QM12/0807

EXAMINER

PREBILIC, P

ART UNIT	PAPER NUMBER
----------	--------------

3738

DATE MAILED: 08/07/01

js

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary

Application No.
09/237,605

Applicant(s)
Lazzara et al

Examiner
Paul Prebilio

Group Art Unit
3738



All participants (applicant, applicant's representative, PTO personnel):

(1) Paul Prebilio

(3) _____

(2) Harold Wells

(4) _____

Date of Interview Aug 6, 2001

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal (copy is given to 1) ☐ applicant 2) ☐ applicant's representative)

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No. If yes, brief description:

Proposed amendment was faxed for discussion purposes only

Claim(s) discussed: 11-50

Identification of prior art discussed:

Krueger et al as applied in the final Office action

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:


Discussed the proposed continuing data and came to the conclusion that present application is a CIP of 08/778,503 and that the provisional application number is incorrect; it should be 60/009,592. Also, discussed meaning of "complete" application and Examiner was informed that it means the same as "non-provisional". Mr. Wells was requested to supply his diagram of the continuing data to aid in understanding the continuing data. Applicant stated that "substantially" is directed to close approximations to all oxide being removed not a broad usage, but the Examiner noted that the MPEP states that "substantially" is a broad term. The Examiner agreed to look into this issue in greater detail. The Examiner also said that he would look at Examples 1 and 2 which contain non-uniform etched surfaces even though they were etched. The Examiner also said that he would try to give some more guidance on how to comparatively evaluate Krueger et al with respect to the present application. Mr. Wells said that he would make some small changes to the amendment

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


PAUL PREBILIO
PRIMARY EXAMINER
ART UNIT 3738

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.